Remark

Applicants respectfully request reconsideration of this application as amended. No claims have been amended. No claims have been cancelled. Claims 21 to 32 are new. Therefore, claims 1-32 are present for examination.

Information Disclosure Statements

Applicants thank the Examiner for his careful attention to Applicant's Information Disclosure Statement filed 03-09-00. Applicants respectfully draw the Examiner's attention to two additional Information Disclosure Statements 1) filed 11-23-98 and received by the PTO on 11-25-98 and 2) filed 07-30-01 and received by the PTO on 08-03-01. Applicants request that the Examiner consider the references enclosed therein and make them also of record in the present application. If there is any difficulty in identifying or finding these references, please contact the undersigned for additional copies.

35 U.S.C. §102 Rejection

Rzeszewski et al.

The Examiner has rejected claims 1-20 under 35 U.S.C. §102(e) as being anticipated by Rzeszewski et al., U.S. Patent No. 5,699,125 ("Rzeszewski"). Claim 1 recites, "a user-definable preferences list that identifies a plurality of channels from a plurality of different sources." In Rzeszewski, the channels all come from a single source, the TV receiver. The background section mentions satellite, cable and broadcast TV but there is no suggestion that these different sources be used in a single preferences

list. The described embodiment refers only to a TV receiver. While audio is mentioned at column 4, line 15 and a few other places, it is uncertain whether the audio is a portion of the broadcast program or the program itself. It should be noted that satellite and cable TV systems broadcast audio only channels. Even if Rzeszewski suggested that audio-only programs be included in the favorites, this is a part of the same single satellite and cable TV sources.

Accordingly, it is believed that Claim 1, as well as Claim 6, 11 and 16 which contain similar recitations are allowable over Rzeszewski. The remaining claims depend from one of Claims 1, 6, 11 or 16 and are believed to be allowable therefore as well as for the recitations specifically recited in each claim, respectively.

New Claims

Claims 21 - 32 are new. Claim 21 recites, "a source identifier for each preference to identify a source of the preference." The favorite channels list of Rzeszewski does not have an identification of the source of a channel and none is suggested since the channels all come from the same source. Claim 28 is directed to a unique process for selecting a channel that is neither taught nor suggested in Rzeszeski. Accordingly, new claims 21 and 28 and claims 22-27 and 29-32 which depend therefrom are believed to be allowable.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims, as amended, are now in condition for

allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and

the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there

remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the

outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary.

Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37

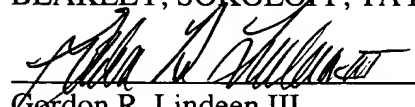C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8/28/11

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Version with Markings to Show Changes Made

Insertions are underlined, deletions are stricken.

21-32. (New)